



**U.S. Department of Justice**

*United States Attorney's Office  
Eastern District of New York*

---

*271 Cadman Plaza East  
Brooklyn, New York 11201*

January 14, 2015

VIA ECF

Honorable Steven I. Locke  
United States Magistrate Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

Re: *United States v. Town of Oyster Bay et ano.*  
Civil Action No. CV-14-2317 (ADS/ SIL)

Dear Magistrate Judge Locke:

The United States respectfully submits this letter to request a thirty day extension of time to file its motion to expand the number of depositions it may take in this action. At the last conference in November, the United States had represented to the Court that, due to the complexity of this case, it needs to take a total of approximately 21 depositions. Defendants' attorney opposed any expansion beyond ten depositions, the presumptive limit under Federal Rule of Civil Procedure 30(a)(2)(i). Because, at the time of the conference, the United States had conducted just four depositions, the Court directed defendants to produce six more witnesses for deposition in December and January, and directed the United States to move by January 29, 2016 to take additional depositions.

At present, the United States has taken a total of eight depositions, and the ninth and tenth depositions are scheduled for January 26 and January 29, 2016. Additionally, on December 8, 2015, the United States served its second set of discovery requests upon defendants. Defendants have requested an extension of time to respond to those requests until February 10, 2016. The United States has agreed to that request. Both the depositions at the end of this month and defendants' responses to the United States' discovery requests will likely inform the United States' motion and the total number of depositions it will seek. Accordingly, the United States respectfully requests that the Court extend its time to move for additional depositions

until February 29, 2016, and that defendants' opposition be due on March 14, 2016. Defendants have consented to this request.

Respectfully submitted,

ROBERT L. CAPERS  
United States Attorney

By: \_\_\_\_\_  
Michael J. Goldberger  
Sean Greene  
Assistant U.S. Attorneys  
(718) 254-6052/ 6484

Cc: Counsel for Defendants (via ECF)